

District Judge Thomas S. Zilly

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAVIER MARTINEZ,

Petitioner,

v.

KIKA SCOTT, *et al.*,¹

Respondents.

Case No. 2:24-cv-01960-TSZ-BAT

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
ORDER GRANTING MOTION

Petitioner and Federal Respondents,² pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings until May 15, 2025. Petitioner brought this litigation pursuant to the Mandamus Act, and the Administrative Procedure Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate his Form I-918, Petition for U Nonimmigrant Status. Petitioner further seeks habeas review pursuant to 28 U.S.C. § 2241, alleging that his prolonged immigration detention violates due process. This case is stayed through April 15,

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Defendants substitute Senior Official Performing the Duties of the Director Kika Scott for Jennifer B. Higgins.

² Respondent Bruce Scott is not a Federal Respondent.

2025. Dkt. No. 7. For good cause, the parties request that the Court hold the case in abeyance until May 15, 2025.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

With additional time, this case may be resolved in its entirety without the need of further judicial intervention, or the claims may be narrowed. On April 8, 2025, USCIS adjudicated Petitioner’s Form I-918. Federal Respondents’ position is that all claims concerning the Form I-918 are now moot. Petitioner’s counsel needs time to discuss this recent development with Petitioner.

As additional time is necessary for this to occur, the parties request that the Court hold the case in abeyance until May 15, 2025. The parties will submit a joint status report on or before May 15, 2025.

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1 DATED this 9th day of April, 2025.

2 Respectfully submitted,

3 TEAL LUTHY MILLER
Acting United States Attorney

GIBBS HOUSTON PAUW

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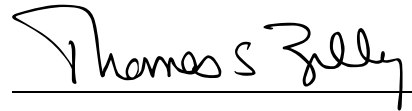
10 *Attorneys for Federal Respondents*

11 *I certify that this memorandum contains 290*
12 *words, in compliance with the Local Civil Rules.*

ORDER

The case is held in abeyance until May 15, 2025. The parties shall submit a joint status report on or before May 15, 2025. It is so **ORDERED**.

DATED this 11th of April, 2025.

A handwritten signature in black ink, reading "Thomas S. Zilly". The signature is written in a cursive style with a horizontal line underneath.

Thomas S. Zilly
United States District Judge